

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENWOOD DIVISION**

TRAVIS WATSON,

Plaintiff,

vs.

MEDTRONIC, INC.,

Defendant.

C/A No. 8:16-cv-01453-MGL

NOTICE OF REMOVAL

Exhibit A
Summons and Complaint



**Service of Process
Transmittal**

04/07/2016

CT Log Number 528950551

TO: Vicki Tersteeg
Medtronic, Inc.
710 Medtronic Pkwy, Ms: LC300
Minneapolis, MN 55432-5604

RE: Process Served In South Carolina

FOR: Medtronic, Inc. (Domestic State: MN)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION:	Travis Watson, Pltf. vs. Medtronic, Inc., Dft.
DOCUMENT(S) SERVED:	Letter, Summons, Cover Sheet, Complaint, Certificate
COURT/AGENCY:	Greenwood County Court of Common Pleas, SC Case # 2016CP2400507
NATURE OF ACTION:	Employee Litigation - Wrongful Termination - October 05, 2015
ON WHOM PROCESS WAS SERVED:	CT Corporation System, Columbia, SC
DATE AND HOUR OF SERVICE:	By Certified Mail on 04/07/2016 postmarked on 04/05/2016
JURISDICTION SERVED :	South Carolina
APPEARANCE OR ANSWER DUE:	Within 30 days after service, exclusive of the day of service
ATTORNEY(S) / SENDER(S):	Lena Y. Meredith Nicholson, Meredith and Anderson, LLC P O Box 457 Greenwood, SC 29648 864-229-7241
ACTION ITEMS:	CT has retained the current log, Retain Date: 04/07/2016, Expected Purge Date: 04/12/2016 Image SOP Email Notification, Vicki Tersteeg VICKI.ANN.TERSTEEG@MEDTRONIC.COM Email Notification, Jackie Hiltner jackie.hiltner@medtronic.com
SIGNED:	CT Corporation System
ADDRESS:	2 Office Park Court Suite 103 Columbia, SC 29223
TELEPHONE:	404-965-3840

NICHOLSON MEREDITH AND ANDERSON
ATTORNEYS AT LAW
P.O. BOX 457
GREENWOOD, SC 29646

CERTIFIED MAIL



7015 1660 0000 8982 8704



CT Corporation System
2 Office Park Court, Suite 103
Columbia, SC 29223

292235548 0006



NICHOLSON MEREDITH & ANDERSON, LLC

ATTORNEYS AT LAW

W.H. Nicholson, III
Lena Y. Meredith

Jennings B. Anderson
W.H. Nicholson, IV

109 West Court Avenue (29646)
P. O. Box 457
Greenwood, SC 29648

864.229.7241 Phone
864.229.2739 Fax

www.nicholsonmeredith.com

April 5, 2016

Via Certified Mail, Return Receipt Requested

CT Corporation System
2 Office Park Court, Suite 103
Columbia, SC 29223

Re: Travis Watson v. Medtronic, Inc.
Civil Action No. 2016-CP-24-00507

Dear Sir or Madam:

Enclosed herewith for service upon you as registered agent for Medtronic, Inc., is a copy of a Summons and Complaint along with a Certificate of Service covering same. Please forward to the appropriate party and provide a response in the near future.

Please note the terms of the Summons in South Carolina law provides thirty (30) days for a responsive pleading to be filed with the court and served upon us, as attorneys for the Plaintiff.

If you have any questions, please feel free to contact our office.

Sincerely,

NICHOLSON MEREDITH & ANDERSON

Laura Beth Brooks

Laura Beth Brooks
Paralegal

/leb

Enclosures

STATE OF SOUTH CAROLINA)
COUNTY OF GREENWOOD)

IN THE COURT OF COMMON PLEAS
FOR THE EIGHTH JUDICIAL CIRCUIT
2016-CP-24- 00507

Travis Watson,

Plaintiff,

v.

Medtronic Inc,

Defendant.

SUMMONS

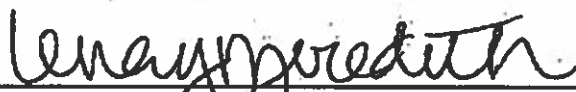
2016 MAR 31 PM 2:45

FILED COMMON PLEAS
8TH JUDICIAL CIRCUIT
GREENWOOD, S.C.

TO THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint on the subscriber, Lena Y. Meredith, Esquire, 109 W. Court Avenue, P.O. Box 457, Greenwood, South Carolina, 29648, within **THIRTY (30) DAYS** after the service hereof, exclusive of the date of such service; and if you fail to answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

Respectfully Submitted,



Lena Y. Meredith, SC Bar #9663
NICHOLSON, MEREDITH AND ANDERSON, LLC
109 West Court Avenue
P O Box 457
Greenwood, SC 29648
Telephone: (864) 229-7241
Facsimile: (864) 229-2739
Email: lena@nicholsonmeredith.com

Greenwood, SC
March 24, 2016

STATE OF SOUTH CAROLINA

COUNTY OF GREENWOOD

Travis Watson

Plaintiff(s)

vs.

Medtronic Inc

Defendant(s)

Submitted By: Lena Y Meredith

Address: P O Box 457, Greenwood, SC 29648

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2016-CP - 24-

00507

2016 MAR 31 PM 2:45

FILED COMMON PLEAS
8TH JUDICIAL CIRCUIT
GREENWOOD, S.C.

SC Bar #: 9663
 Telephone #: 864-229-7241
 Fax #: 864-229-2739
 Other:
 E-mail: lena@nicholsonmeredith.com

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- ☐ JURY TRIAL demanded in complaint. ☒ NON-JURY TRIAL demanded in complaint.
☐ This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | |
|--|--|---|--|
| Contracts
<input type="checkbox"/> Constructions (100)
<input type="checkbox"/> Debt Collection (110)
<input type="checkbox"/> Employment (120)
<input type="checkbox"/> General (130)
<input type="checkbox"/> Breach of Contract (140)
<input type="checkbox"/> Other (199) | Torts - Professional Malpractice
<input type="checkbox"/> Dental Malpractice (200)
<input type="checkbox"/> Legal Malpractice (210)
<input type="checkbox"/> Medical Malpractice (220)
Previous Notice of Intent Case #
20 -CP-
<input type="checkbox"/> Notice/ File Med Mal (230)
<input type="checkbox"/> Other (299) | Torts - Personal Injury
<input type="checkbox"/> Assault/Slander/Label (300)
<input type="checkbox"/> Conversion (310)
<input type="checkbox"/> Motor Vehicle Accident (320)
<input type="checkbox"/> Premises Liability (330)
<input type="checkbox"/> Products Liability (340)
<input type="checkbox"/> Personal Injury (350)
<input type="checkbox"/> Wrongful Death (360)
<input checked="" type="checkbox"/> Other (399) | Real Property
<input type="checkbox"/> Claim & Delivery (400)
<input type="checkbox"/> Condemnation (410)
<input type="checkbox"/> Foreclosure (420)
<input type="checkbox"/> Mechanic's Lien (430)
<input type="checkbox"/> Partition (440)
<input type="checkbox"/> Possession (450)
<input type="checkbox"/> Building Code Violation (460)
<input type="checkbox"/> Other (499) |
| Inmate Petitions
<input type="checkbox"/> PCR (500)
<input type="checkbox"/> Mandamus (520)
<input type="checkbox"/> Habeas Corpus (530)
<input type="checkbox"/> Other (599) | Administrative Law/Relief
<input type="checkbox"/> Reinstate Drv. License (800)
<input type="checkbox"/> Judicial Review (810)
<input type="checkbox"/> Relief (820)
<input type="checkbox"/> Permanent Injunction (830)
<input type="checkbox"/> Forfeiture-Petition (840)
<input type="checkbox"/> Forfeiture-Consent Order (850)
<input type="checkbox"/> Other (899) | Judgments/Settlements
<input type="checkbox"/> Death Settlement (700)
<input type="checkbox"/> Foreign Judgment (710)
<input type="checkbox"/> Magistrate's Judgment (720)
<input type="checkbox"/> Minor Settlement (730)
<input type="checkbox"/> Transcript Judgment (740)
<input type="checkbox"/> Lis Pendens (750)
<input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760)
<input type="checkbox"/> Confession of Judgment (770)
<input type="checkbox"/> Petition for Workers Compensation Settlement Approval (780)
<input type="checkbox"/> Other (799) | Appeals
<input type="checkbox"/> Arbitration (900)
<input type="checkbox"/> Magistrate-Civil (910)
<input type="checkbox"/> Magistrate-Criminal (920)
<input type="checkbox"/> Municipal (930)
<input type="checkbox"/> Probate Court (940)
<input type="checkbox"/> SCDOT (950)
<input type="checkbox"/> Worker's Comp (960)
<input type="checkbox"/> Zoning Board (970)
<input type="checkbox"/> Public Service Comm. (990)
<input type="checkbox"/> Employment Security Comm (991)
<input type="checkbox"/> Other (999) |
| Special/Complex /Other
<input type="checkbox"/> Environmental (600)
<input type="checkbox"/> Automobile Arb. (610)
<input type="checkbox"/> Medical (620)
<input type="checkbox"/> Other (699) | <input type="checkbox"/> Pharmaceuticals (630)
<input type="checkbox"/> Unfair Trade Practices (640)
<input type="checkbox"/> Out-of State Depositions (650)
<input type="checkbox"/> Motion to Quash Subpoena in an Out-of-County Action (660)
<input type="checkbox"/> Sexual Predator (510) | | |

Submitting Party Signature:

Lena Y Meredith

Date: 3/24/16

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

FOR MANDATED ADR COUNTIES ONLY

Aiken, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Cherokee, Clarendon, Colleton, Darlington, Dorchester, Florence, Georgetown, Greenville, Hampton, Horry, Jasper, Kershaw, Lee, Lexington, Marion, Oconee, Orangeburg, Pickens, Richland, Spartanburg, Sumter, Union, Williamsburg, and York

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

You are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs. (Medical malpractice mediation is mandatory statewide.)
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.

STATE OF SOUTH CAROLINA)
COUNTY OF GREENWOOD)

IN THE COURT OF COMMON PLEAS
FOR THE EIGHTH JUDICIAL CIRCUIT
2016-CP-24- 00907

Travis Watson,

Plaintiff,

v.

Medtronic Inc.,

Defendant.

Non-Jury

COMPLAINT

FILED COMMON PLEAS
8TH JUDICIAL CIRCUIT
GREENWOOD, S.C.

2016 MAR 31 PM 2:45

The Plaintiff above named, complaining of the Defendant herein, would allege and show to the Court:

1. The Plaintiff is a resident of the County of Greenwood, State of South Carolina. On information and belief, Defendant is a corporation organized under the laws of the state of South Carolina with a place of business in Greenwood County, South Carolina.

2. Plaintiff was employed by Defendant, between April, 2006 and October 5, 2015.

3. On September 29, 2015, Plaintiff suffered a compensable workers' compensation injury to his left hand which required medical treatment.

4. On or about October 5, 2015, while he was out of work on leave by an authorized treating physician, Plaintiff was notified that he was terminated from employment. Plaintiff is informed and believes that said termination is due to his work related injury in violation of S. C. Code §41-1-80 (SC Code Ann.).

5. Plaintiff was able to obtain employment elsewhere on November 23, 2015, after he was released to return to work by the authorized treating physician, but at a substantially lower hourly rate of pay.

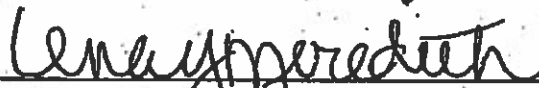
6. Plaintiff is entitled to judgment against Defendant for lost wages from October 5, 2015, and for an Order of the Court requiring Defendant to reinstate him to his former position of Production Team Leader, or in the alternative, for damages under the Statute.

7. Plaintiff believes Defendant terminated his employment in willful violation of the statute and believes Defendant should be required to pay Plaintiff's attorney's fees and costs.

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. for the amount of his lost wages since October 5, 2015, plus attorney's fees and costs;
2. for an Order of the Court requiring Defendant to reinstate Plaintiff to his former position; and,
3. for such other and further relief as the Court deems just and proper.

Respectfully Submitted,



Lena Y. Meredith, SC Bar #9663
NICHOLSON, MEREDITH AND ANDERSON, LLC
109 West Court Avenue
P O Box 457
Greenwood, SC 29648
Telephone: (864) 229-7241
Facsimile: (864) 229-2739
Email: lena@nicholsonmeredith.com

Greenwood, SC

March 24, 2016

STATE OF SOUTH CAROLINA)
COUNTY OF GREENWOOD)

IN THE COURT OF COMMON PLEAS
FOR THE EIGHTH JUDICIAL CIRCUIT
2016-CP-24-00507

Travis Watson,

Plaintiff,

v.

Medtronic Inc,

Defendant.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that she is employed by Nicholson, Meredith and Anderson, LLC, Attorneys for the Plaintiff in the above entitled action; that on this date, she served the following documents:

Summons and Complaint;

in the above case upon the registered agent for Medtronic, Inc., by Certified U.S. mail as follows:

CT Corporation System
2 Office Park Court, Suite 103
Columbia, SC 29223

Laura Beth Brooks

Laura Beth Brooks, Paralegal

NICHOLSON, MEREDITH AND ANDERSON, LLC

P. O. Box 457

Greenwood, SC 29648

864-229-7241

April 5, 2016